

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ESTHER HOFFMAN; SARAH DOUGLASS;  
ANTHONY KIM; and IL KIM and DARIA KIM,  
husband and wife and the marital community  
comprised thereof, on behalf of themselves and on  
behalf of others similarly situated.

## Plaintiffs.

VS.

TRANSWORLD SYSTEMS INCORPORATED; PATENAude AND FELIX, A.P.C.; MATTHEW CHEUNG, and the marital community comprised of MATTHEW CHEUNG and JANE DOE CHEUNG, National Collegiate Student Loan Trust 2003-1, National Collegiate Student Loan Trust 2004-1, National Collegiate Student Loan Trust 2004-2, National Collegiate Student Loan Trust 2005-1, National Collegiate Student Loan Trust 2005-2, National Collegiate Student Loan Trust 2005-3, National Collegiate Student Loan Trust 2006-1, National Collegiate Student Loan Trust 2006-2, National Collegiate Student Loan Trust 2006-3, National Collegiate Student Loan Trust 2006-4, National Collegiate Student Loan Trust 2007-1, National Collegiate Student Loan Trust 2007-2, National Collegiate Student Loan Trust 2007-3, National Collegiate Student Loan Trust 2007-4, National Collegiate Master Student Loan Trust, and DOES ONE THROUGH TEN,

## Defendants.

STIPULATED MOTION AND ORDER TO SEAL  
PLAINTIFFS' CONSOLIDATED RESPONSE TO  
DEFENDANTS' MOTIONS TO DISMISS ON FILE WITH  
THE COURT AT DOCKET NO. 109 - 1

E NO. 2:18-cv-01132 TSZ

STIPULATED MOTION AND  
ORDER TO SEAL PLAINTIFFS'  
CONSOLIDATED RESPONSE TO  
DEFENDANTS' MOTIONS TO  
DISMISS ON FILE WITH THE  
COURT AT DOCKET NO. 109

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## I. INTRODUCTION

COME NOW Plaintiffs, by and through undersigned counsel, and hereby respectfully request the Court seal Plaintiffs' Consolidated Response to Defendants' Motions to Dismiss on file with the Court at docket no. 109. Plaintiffs' counsel has conferred with Defendants regarding this matter and all counsel stipulate to the sealing of this record.

## II. FACTUAL BACKGROUND

Plaintiffs filed Plaintiffs' Consolidated Response to Defendants' Motions to Dismiss on December 7, 2020. The document is on file with the Court at docket no. 109. The PDF version of the document was converted from a Microsoft Word document that contained comments of Plaintiffs' counsel that were inserted in the editing process. When the document was converted to PDF, the comments of counsel were transferred to the PDF and can be read in the electronic version that is on file with the Court. Plaintiffs' counsel noticed the error and immediately filed a praecipe and a version of the Response with the comments removed. (Dkt. Nos. 110, 110-1). Plaintiffs are now filing this motion to seal the version of their response filed at docket no. 109 so that their attorneys' work product in the form of editing notes is not publicly available.

### III. CERTIFICATION OF CONFERRAL

Pursuant to Local Rule 5(g)(3)(A), Plaintiffs' counsel has conferred with all other parties, and all parties have stipulated to sealing docket no. 109.

## IV. ARGUMENT

A party seeking to keep documents sealed in a court proceeding bears the burden of providing a “compelling reason” for doing so that is supported by facts. *Wacom Co., Ltd. v. Hanvon Corp.*, 2008 WL 623631, at \*1 (W.D. Wash. March 4, 2008) (citing *Hagestad v. Tragesser*, 49 F.3d 1430, 1434 (9th Cir. 1995)). The “work-product” doctrine is generally a “compelling reason” justifying a motion to seal. *WatchGuard Techs., Inc. v. iValue Infosolutions Pvt. Ltd.*, No. C15-1697-BAT, 2017 U.S. Dist. LEXIS 132483, at \*7 (W.D. Wash. Aug. 18, 2017).

1 Because Plaintiffs' Response at docket no. 109 contains attorney work product that was  
2 accidentally filed in the Court record and a copy without the attorney work product has been  
3 filed, good cause exists to seal docket no. 109. All parties have agreed to the sealing of this  
4 document.

5 **V. CONCLUSION**

6 For these reasons, Plaintiffs, with stipulation of all parties, respectfully ask the Court to  
7 seal docket no. 109.

8 DATED this 10th of December 2020.

9 ***Attorneys for Plaintiffs:***

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27 *Attorneys for Defendants Transworld Systems*  
28 *Inc. and National Collegiate Student Loan*  
29 *Trusts*

30 **ORDER**

31 THIS MATTER having come before the Court upon stipulation by the Plaintiffs and the  
32 Defendants, the Court having reviewed and considered the stipulation and all related pleadings  
33 and documents on file in this case, NOW THEREFORE, IT IS HEREBY,

34 ORDERED that the document filed under docket no. 109 be SEALED.

35 Dated this 11th day of December 2020.

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38 Thomas S. Zilly  
39 United States District Judge